IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

Crl.MC.No. 4025 of 2006()

CC.590/1996 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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PETITIONER: ACCUSED:

SUBBAYYA, S/O.THANKAMUTHU SETTIAR,
AGED 70 YEARS, KALIYAMMA KOVIL STREET,
VADANADRAR, ANNA DISTRICT.

BY ADV. SRI.V.B.NARAYANAN

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. THE PRINCIPAL ASSISTANT SESSION JUDGE,
SUB LCOURT, KOCHI.

BY PUBLIC PROSECUTOR SRI.K.A. AKBAR.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 4025 OF 2006

Dated this the 19th day of December, 2006

ORDER

This is in continuation of the order dated 12/12/2006 passed by this Court. The report of the learned Magistrate has also been obtained. It is reported that the petitioner has already appeared before the learned Magistrate and he has been enlarged on bail on his own bond. The learned Magistrate in the report undertakes to ensure that the matter is disposed of as expeditiously as possible. The learned Magistrate further submits that steps shall be made to dispose of the matter within a period of one month.

2. I am satisfied that no further directions are necessary in the matter. The case stands posted to 8/1/07. The learned Magistrate must make every endeavour to dispose of the case within a period of one month from 8/1/07. The petitioner must appear before the learned Magistrate on all dates of posting either personally or through counsel if the court permits. If the petitioner does not appear personally or through pleader as directed, the learned Magistrate shall, of course, be at

liberty to take coercive steps.

3. The learned counsel for the petitioner makes a further objection that the learned Magistrate is not following the procedure contemplated by law. It shall be open to the learned counsel for the petitioner to advance arguments on this aspect before the learned Magistrate.

4. This Crl.M.C. is allowed to the above extent.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge